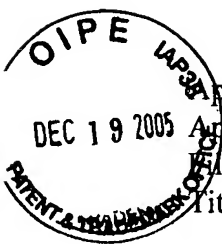


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application No.: 10/531,600 Confirmation No.: 3681  
 Applicant(s): Frederick Richard Neason STEPHENS  
 Filed: April 18, 2005  
 Title: METHOD AND APPARATUS FOR MEASURING TISSUE PERFUSION  
 TC/A.U.: Not yet assigned  
 Examiner: Not yet assigned  
 Docket No.: 87036-0004  
 Customer No.: 24633

**Mail Stop Missing Parts**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Sir:

This is in response to the Notice of Missing Requirements dated September 19, 2005, in the above-identified application.

1. **Combined Declaration and Power of Attorney:**

- ☒ **Enclosed.** This application was filed without an executed Declaration and Power of Attorney.

2. **Assignment:**

- ☒ An assignment of the invention to **Perfusion Diagnostics Pty Ltd** and a PTO Form-1595, Recordation Form Cover Sheet are filed concurrently under separate cover.

3. ☐ Applicant petitions for an extension of time, the fees for which are set forth in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	Fee for Small Entity
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1590.00	\$ 795.00
<input type="checkbox"/> five months	\$ 2160.00	\$ 1080.00

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60.00 Extension of time fee due with this request: \$ 60.00

If an additional extension of time is required, please consider this a Petition therefore.

Application No. 10/531,600  
Response to Notice of Missing Requirements

4. **Fee Calculation (37 C.F.R. § 1.16):**

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Fees
Total Claims (37 C.F.R. §1.16(c))	32 - 20 =	12	\$ 50/25 ea =	0.00
Independent (Claims 37 C.F.R. §1.16(b))	2 - 3 =	0	\$ 200/100 ea =	0.00
Basic Filing Fee \$300/150				Paid 4/18/2005
Utility Search Fee \$500/250				Paid 4/18/2005
Examination Fee \$200/100				Paid 4/18/2005
Utility Application Size Fee—for each additional 50 sheets that exceeds 100 sheets \$250/125				0.00
Declaration Surcharge under 37 C.F.R. § 1.16(e)				130.00
Multiple Claim Fee \$360				0.00
One-Month Extension of Time				120.00
<b>TOTAL =</b>				<b>250.00</b>
Minus ½ for Small Entity				125.00
<b>TOTAL FILING FEE</b>				<b>125.00</b>

5. **Fee Payment:**

☒ A check in the amount of \$ 125.00 is enclosed for fees noted above..

☐ Authorization is given to charge \$ \_\_\_\_\_ to Deposit Account 50-1349 for the fees due as specified above.

6. ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3)

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65.00 0P

Application No. 10/531,600  
Response to Notice of Missing Requirements

7. Other:

- ☒ **Part 2 – Notification of Missing Requirements**
- ☐ Information Disclosure Statement
- ☐ PTO-1449, \_\_ documents as listed
- ☐ Preliminary Amendment
- ☐ Claim for Priority
- ☐ Certified copy of Priority Document
- ☐ Sequence Listing

If there are any questions regarding the above-captioned patent application, please contact applicant's representative at the number given below.

Respectfully submitted,

**HOGAN & HARTSON LLP**

Dated: December 19, 2005

**HOGAN & HARTSON LLP**

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Washington, D.C. 20004

Telephone: (202) 637-3703

Facsimile: (202) 637-5910

e-mail: cjcrowson@hhlaw.com

**Customer No. 24633**

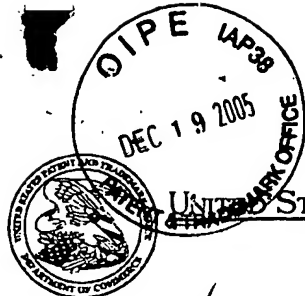
By: Thomas W. Edman

Celine Jimenez Crowson

Registration No. 40,357

Thomas W. Edman

Registration No. 51,643



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/531,600	FIRST NAMED APPLICANT Frederick Richard Neason Stephens	ATTY. DOCKET NO. 87036-0004
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24633  
 HOGAN & HARTSON LLP  
 IP GROUP, COLUMBIA SQUARE  
 555 THIRTEENTH STREET, N.W.  
 WASHINGTON, DC 20004

HOGAN &amp; HARTSON L.L.P.

SEP 22 2005

IP DOCKETING DEPT.

INTERNATIONAL APPLICATION NO.

PCT/AU03/01379

I.A. FILING DATE

10/17/2003

PRIORITY DATE

10/17/2002

CONFIRMATION NO. 3681

371 FORMALITIES LETTER



\*OC000000017034901\*

Date Mailed: 09/19/2005

Resp to MISSING Reg Due 11/19/05

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/18/2005
- Copy of the International Search Report filed on 04/18/2005
- Preliminary Amendments filed on 04/18/2005
- Information Disclosure Statements filed on 04/18/2005
- Small Entity Statement filed on 04/18/2005
- Request for Immediate Examination filed on 04/18/2005
- U.S. Basic National Fees filed on 04/18/2005
- Priority Documents filed on 04/18/2005
- Specification filed on 04/18/2005
- Claims filed on 04/18/2005
- Abstracts filed on 04/18/2005
- Drawings filed on 04/18/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/531,600	PCT/AU03/01379	87036-0004

FORM PCT/DO/EO/905 (371 Formalities Notice)